

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 1:25-cv-22671-GAYLES

JESUS M. RODRIGUEZ-DELGADO,

Petitioner,

v.

KRISTI NOEM, Secretary, Department of Homeland Security; TODD LYONS, Acting Director of U.S. Immigration and Customs Enforcement (ICE) Department of Homeland Security; GARRETT J. RIPA, ICE Miami Field Office Director; ANGELICA ALFONSO-ROYALS, USCIS Acting Director, U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security; RUTH DOROCHOFF, USCIS District Director (District 10) United States Citizenship and Immigration Services (USCIS), Department of Homeland Security; SHELLEY RANDALL, USCIS Field Office Director (Fort Myers, FL), United States Citizenship and Immigration Services, Department of Homeland Security; and PAMELA BONDI, Attorney General of the United States U.S. Department of Justice,

Respondents.

ORDER STAYING REMOVAL

THIS CAUSE is before the Court on Petitioner’s Petition for Writ of Habeas Corpus Under Title 28 U.S.C. § 2241 and Title 28 U.S.C. § 1983 (the Bivens Act), and Other Relief (Emergency-Noncitizen Detained for Removal from US) (the “Petition”). [ECF No. 1]. In his Petition, Petitioner Jesus M. Rodriguez-Delgado’s (“Petitioner”) asserts that Respondent U.S.

Immigration and Customs Enforcement (“ICE”) wrongfully detained him and placed him in expedited removal proceedings in violation of, *inter alia*, ICE’s regulations regarding expedited removal proceedings, the Immigration and Nationality Act, the Administrative Procedure Act, and 18 U.S.C. §§ 241, 242, and 371. Petitioner is currently in ICE custody in El Paso, Texas and subject to expedited removal.

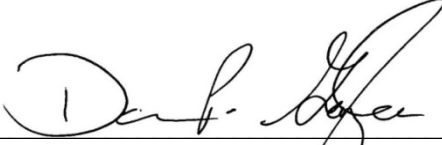
In his prayer for relief in the Petition, Petitioner seeks to enjoin Respondents from removing him from the United States to any foreign country until the Court adjudicates his action. Given the complex legal questions and special circumstances raised in the Petition, including Petitioner’s potential imminent removal, the Court finds that a short stay of removal is warranted pending a response from the Respondents and a subsequent hearing on the Petition.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Petitioner’s Removal shall be **STAYED** until Respondents respond to the Petition and the Court holds a hearing.
2. Respondents shall file a response to the Petition on or before June 23, 2025.
3. Respondents shall provide Petitioner with reasonable access to his attorneys.
4. Respondents and all their respective officers, agents, servants, employees, attorneys, and persons acting in concert or participation with them are immediately **ENJOINED** from deporting or removing Petitioner until further order of the Court.
5. Petitioner shall not be required to post a bond.
6. This Order is effective immediately and shall remain in effect through 11:59 p.m. on June 30, 2025.
7. The parties shall appear before this Court on June 30, 2025, at 1:30 p.m. (Eastern Time), before Judge Darrin P. Gayles at the Wilkie D. Ferguson Jr. U.S. Courthouse, 400 North

Miami Avenue, Courtroom 11-1, Miami, Florida, to address the Petition. The Court will consider extending this Order and rescheduling the hearing upon a showing of good cause.

DONE AND ORDERED in Chambers at Miami, Florida, this 13th day of June, 2025.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE